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RESOLUTION NO. 06-462

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON **50TH ST. SOUTH**, FROM THE EAST LINE OF SENECA TO THE EAST LINE OF LOT 27, BLOCK 1, SYCAMORE POND ADDITION; **OSAGE/OSAGE CIRCLE**, FROM THE NORTH LINE OF SUNRISE TO AND INCLUDING THE CUL-DE-SAC AND SIDEWALKS TO BE CONSTRUCTED ON ONE SIDE OF ALL THROUGH, NON CUL-DE-SAC STREETS (SOUTH OF 47TH ST. SOUTH, EAST OF SENECA) 472-84416 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING PAVEMENT ON **50TH ST. SOUTH**, FROM THE EAST LINE OF SENECA TO THE EAST LINE OF LOT 27, BLOCK 1, SYCAMORE POND ADDITION; **OSAGE/OSAGE CIRCLE**, FROM THE NORTH LINE OF SUNRISE TO AND INCLUDING THE CUL-DE-SAC AND SIDEWALKS TO BE CONSTRUCTED ON ONE SIDE OF ALL THROUGH, NON CUL-DE-SAC STREETS (SOUTH OF 47TH ST. SOUTH, EAST OF SENECA) 472-84416 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 06-348 adopted on **June 6, 2006** is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to authorize constructing pavement on **50th St. South**, from the east line of Seneca to the east line of Lot 27, Block 1, Sycamore Pond Addition; **Osage/Osage Circle**, from the north line of Sunrise to and including the cul-de-sac and sidewalks to be constructed on one side of all through, non cul-de-sac streets (south of 47th St. South, east of Seneca) 472-84416.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to **Two Hundred Fifty-Nine Thousand Dollars (\$259,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **April 1, 2006** exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

SYCAMORE POND ADDITION

Lots 1 through 27, Block 1

Lot 12, Block 3
Lots 1 through 12, Block 4

SOUTH SENECA GARDENS SECOND ADDITION

Lots 4 through 7, Block A
Lots 1 through 4, Block B

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: Lots 1 through 27, Block 1, Lot 12, Block 3, and Lots 1 through 12, Block 4, SYCAMORE POND ADDITION, shall each pay 11/468 of the total cost of the improvement district; Lots 5 through 7, Block A and Lots 1 through 3, Block B, SOUTH SENECA GARDENS SECOND ADDITION, shall each pay 4/468 of the total cost of the improvement district; Lot 4, Block A and Lot 4, Block B, SOUTH SENECA GARDENS SECOND ADDITION, shall each pay 2/468 of the total cost of the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis. Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said

publication.

ADOPTED at Wichita, Kansas, September 12, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)